

ESTIMATES—INDIAN TREATIES.

[To accompany bill H. R. No. 695.]

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING

Estimates of appropriations necessary to carry into effect certain Indian treaties.

JUNE 15, 1836.

Printed by order of the House of Representatives.

WAR DEPARTMENT,
June 3, 1836.

SIR: I have the honor to transmit, herewith, a report from the Commissioner of Indian Affairs, covering an estimate for carrying into effect the late treaty with the Cherokee Indians.

It is proper to state that this estimate has been submitted to, and approved by, the President.

Very respectfully, your most obedient servant,

C. A. HARRIS,
Acting Secretary of War.

HON. C. C. CAMBRELENG,
Ch'n Com. Ways and Means, H. R.

WAR DEPARTMENT,
Office Indian Affairs, June 3, 1836.

SIR: I transmit, herewith, an estimate of the amount required for the execution of certain provisions of the Cherokee treaty of March 1st, 1836.

Very respectfully, your obedient servant,

ELBERT HERRING.

C. A. HARRIS, Esq.
Acting Secretary of War.

Bair & Rives, printers.

ESTIMATE of the sums that will be required to carry into effect certain provisions of the treaty concluded with the Cherokee Indians, on the 29th December, 1835, and the supplement thereto, concluded on the 1st of March, 1836.

<i>Under the 1st and 2d articles.</i>		Amount.
For the amount stipulated to be paid for the lands ceded in the 1st article -	\$5,000,000 00	
Less the cost of the land to be provided for them west of the Mississippi, under the 2d article -	500,000 00	
		\$4,500,000 00
<i>Under the 4th article.</i>		
To extinguish the title of certain half breeds to reservations granted them in the treaty with the Osages in 1825 -	15,000 00	
For payment for the improvements on the missionary reservations at Union and Harmony -	25,000 00	
		40,000 00
<i>Under the 11th article.</i>		
For commutation of the permanent annuity of \$10,000 -		214,000 00
<i>Under the 17th article.</i>		
For compensation of two commissioners, for two years, to examine claims, at \$8 per day, each -	11,680 00	
(Should it be deemed proper to provide for three commissioners, then \$5,840 should be added to this item)		
For one secretary, two years, at \$5 a day	3,650 00	
For one interpreter, two years, at \$2 50 a day	1,825 00	
		17,155 00
SUPPLEMENT.		
<i>Under the 3d article.</i>		
For removal and spoliations -		600,000 00
<i>Under the 5th article.</i>		
For expenses attending the negotiation of the treaty, and of the delegation -		35,000 00
		\$5,406,155 00

WAR DEPARTMENT,

June 10, 1836.

SIR: I have the honor to transmit, herewith, a communication from the Commissioner of Indian Affairs, covering estimates of the appropriations necessary to carry into effect certain Indian treaties recently ratified. The estimate for the Cherokee treaty was some days since transmitted to the Committee of Ways and Means, and I presume the whole of the appropriations will be included in one bill. I have the honor to ask the attention of the committee to the subject, and to request that the necessary funds may be provided. There are eight of these treaties, including that with the Cherokees; copies of all these, excepting two, with small bands of the Pottawatamies in Indiana, are herewith enclosed. These two have not yet been received from the Department of State; as soon as they reach this Department they shall be transmitted to the committee.

Very respectfully, your most obedient servant,

LEW. CASS.

Hon. C. C. CAMBRELENG,

Ch'm Com. Ways and Means, H. R.

DEPARTMENT OF WAR,

Office Indian Affairs, June 10, 1836.

SIR: I have the honor to present an estimate of the sums required to carry into effect the stipulations of certain treaties with the Chippewa, Ottawa, and Pottawatamie tribes of Indians, in 1836, which have been recently ratified, to be submitted for appropriation by Congress.

Very respectfully, your obedient servant,

D. KURTZ, *Ch. Clerk.**For the Commissioner.*

Hon. LEWIS CASS,

Secretary of War.

ESTIMATE of the sums required to carry into effect the stipulations of certain treaties with the Chippewa, Ottawa, and Pottawatamie tribes of Indians in 1836.

CHIPPEWAS AND OTTAWAS.	Amount.
For carrying into effect the stipulations of the treaty concluded with the Chippewa and Ottawa nation of Indians the 28th of March, and an article supplementary thereto the 31st of March, 1836, viz:	
<i>Provided by the 4th article.</i>	
For the annuity in specie - - -	\$30,000 00
For education, teachers, &c. - - -	5,000 00
For missions - - -	3,000 00
For agricultural implements, cattle, mechanics' tools, and such other objects as the President may deem proper - -	10,000 00
For vaccine matter, medicines, and services of physician - - -	300 00
For provisions - - -	2,000 00
For 6,500 pounds of tobacco - - -	825 00
For 100 barrels of salt - - -	250 00
For 500 fish barrels - - -	450 00
For goods and provisions to be delivered at Michilimackinac - - -	150,000 00
For interest to be paid annually as annuities on the sum of \$200,000, per resolution of the Senate - - -	12,000 00
<i>5th article.</i>	\$213,825 00
For the payment of the just debts against the Indians, per Senate's ratification -	300,000 00
<i>6th article.</i>	
For commutation in lieu of reservations to half breeds - - -	145,000 00
For taking a census of the Indian half breed population - - -	1,200 00
For the pay and travel of a commissioner -	1,000 00
For clerk's pay and expenses, stationery, postage, witnesses, messengers to collect Indians, and canoes for them, subsistence for 2,000 Indians for 20 days, fuel for them while on the island, and other expenses attending the commission which cannot be foreseen - - -	3,000 00
	150,200 00

ESTIMATE—Continued.

7th article.	Amount.
For pay of two additional blacksmiths -	\$960 00
For two strikers - - -	480 00
For building a blacksmith's shop on reservation north of Grand river - -	750 00
For iron, steel, coal, tools, &c. for two shops -	500 00
For purchase of one new set of blacksmith's tools for shop on reservation - -	175 00
For rebuilding shop at Mackinac, and adding an armorer's room - - -	850 00
For one gunsmith - - -	480 00
For purchase of a set of gunsmith's tools -	100 00
For two additional interpreters - -	600 00
For building a dormitory at Mackinac, including stoves and some articles of plain furniture - - -	4,800 00
For keeper of dormitory - - -	600 00
For 150 cords of wood for dormitory -	375 00
For two farmers - - -	1,000 00
For two assistant farmers - - -	600 00
For two mechanics (carpenters) - -	1,200 00
	\$13,470 00
8th article.	
For the expenses of a delegation of 20 Indians, with an officer, three assistants, an interpreter, a guide, with two assistants, to explore the country, purchase of horses, &c. - - -	12,000 00
For payment of such improvements as add value to the land ceded, estimated at -	20,000 00
For payment for the church on the Cheboigan, estimated at - - -	900 00
	32,900 00
9th article.	
For extinguishing the claim of certain half breeds in lieu of reservations, viz:	
To Rix Robinson in lieu of a section, at \$36 per acre - - -	23,040 00
To Leonard Slater, in trust for Chimino-aquat, one section, at \$10 - -	6,400 00
To John A. Drew, one and three quarter sections, at \$4 - - -	4,480 00
To Edward Biddle, one section, at \$3 -	1,920 00
To John Holiday, five sections, at \$1 25 -	4,000 00
To Eliza Cook, Sophia Biddle, and Mary Holiday, one section each, at \$2 50 -	4,800 00
To Augustin Hamelin, jr. two sections, at \$1 25 - - -	1,600 00

STATEMENT—Continued.

		Amount.
To Wm. Lusley, Joseph Daily, Jos. Trotier, and Henry A. Lenake, two sections each, at \$1 25 - - -	\$6,400 00	
To Luther Rice, Jos. Laframbois, Charles Butterfield, George Moran, Louis Moran, G. D. Williams, and Daniel Marsac, one section each, at \$1 25 - - -	5,600 00	\$58,240 00
<i>Note.</i>—This article provides, that a gross sum of \$48,148 shall be applied for the extinguishment of this class of claims, to be divided in the manner above mentioned, to wit, Rix Robinson, in lieu of a section, at the rate of \$36 an acre, and so on of all the others. Upon making a calculation, it is found, that to pay each individual the sum mentioned in the latter part of the article, it will be necessary that \$58,240 should be appropriated instead of \$48,148. It is respectfully submitted to the consideration of the committee to decide which of the sums shall be appropriated.		
<i>10th article.</i>		
For payment to chiefs on ratification of treaty - - -		30,000 00
<i>11th article.</i>		
For life annuity to two chiefs - - -		150 09
<i>12th article.</i>		
For expenses attending the conclusion of the treaty at Washington - - -		15,403 25
For transportation and incidental expenses - - -		2,000 00
		816,188 25
CHIPPEWAS, SWAN CREEK, AND BLACK RIVER BANDS.		
For carrying into effect the stipulations of the treaty concluded with the Swan Creek and Black River bands of the Chippewa nation, of 9th of May, 1836, viz:		
<i>Provided by the 3d article.</i>		
For an advance in money on the ratification of the treaty - - -	2,500 00	
For the purchase of goods - - -	4,000 00	

STATEMENT—Continued.

	Amount.
For expenses of the treaty, the journeys of the Indians to and from Washington, subsistence, and other expenses - -	\$3,802 67
For transportation and incidental expenses	1,000 00
	\$11,302 67
All of which advances to be deducted from the avails of their lands - -	11,302 67
POTTAWATAMIES OF INDIANA.	
For carrying into effect the stipulations of the treaties concluded with certain bands of the Pottawatamie Indians of Indiana, in March and April, 1836, viz:	
<i>Provided by the 2d article.</i>	
For payment of the sum stipulated in the treaty of 26th of March, 1836, with Mesquaw-back and his band, for a cession of land to the United States - -	2,560 00
<i>3d article.</i>	
For payment of the sum stipulated in the treaty of 29th March, 1836, with Waw-ke-wa and his band, for a cession of land to the United States - -	2,560 05
<i>2d article.</i>	
For payment of the sum stipulated in the treaty of 11th of April, 1836, with Aub-ba-naub-ba and his band, for a cession of land to the United States, one-half only to be paid this year - -	11,520 00
For payment of the sum stipulated in the treaty of 22d April, 1836, with Kee-waw-nee and his band, for a cession of land to the United States - -	6,400 00
For paym't of the sum stipulated in the treaty of 22d April, 1836, with Nas-waw-bee and his band, for a cession of land to the United States - -	1,920 00
For expenses attending the negotiation of the said treaties with Pottawatamies -	636 75
	\$25,596 75

OFFICE INDIAN AFFAIRS, June 10, 1836.

D. KURTZ,
Chief Clerk for the Commissioners.

WAR DEPARTMENT, *June 14, 1836.*

SIR: On looking into the stipulation in the eighteenth article of the Cherokee treaty, and conversing with Mr. Schermerhorn, I think it would be best to appropriate \$75,000 for the advance of the interest which will be due upon the Cherokee funds for the next two years. Though the provision, using the term annuities, is not as definite as is desirable, still, it appears that the Indians anticipated this arrangement, and as it is an advance merely by the United States, to be repaid by the Cherokees, I have the honor to recommend that provision be made for it.

It appears that, in the progress of the negotiation with the Cherokee Indians, a quantity of blankets were delivered to them by the orders of the Commissioner, as many of these Indians were poor, and badly clothed, and the weather was cold. These blankets had been purchased under previous laws, for the purpose of supplying the emigrating parties. The number is stated at two hundred and ninety, and some legislative provision is necessary to close the account. I submit, therefore, to the committee the expediency of providing for the closing of this account, on the production of proper vouchers, it appearing to have been one of the necessary expenses of the treaty. No appropriation will be required.

I intended this morning to send to the committee an estimate for the expenses of making a survey under the Cherokee treaty. But as I depend on Mr. McCoy for the necessary information, which I have not received from him, I am obliged to postpone acting on the matter.

Very respectfully, your most obedient servant,

LEW. CASS.

Hon. C. C. CAMBRELENG,

Ch'm Com. Ways and Means, H. R.

TREATY between the United States of America and the Chiefs, Headmen, and people, of the Cherokee tribe of Indians. Concluded December 29, 1835, with supplementary articles, dated March 1, 1836—Ratified May 23, 1836.

ANDREW JACKSON, President of the United States of America, to all and singular to whom these presents shall come, greeting:

WHEREAS a treaty was concluded at New Echota, in the State of Georgia, on the 29th day of December, 1835, by General William Carroll, and John F. Schermerhorn, commissioners on the part of the United States; and the chiefs, headmen, and people, of the Cherokee tribe of Indians. And whereas certain articles supplementary to the said treaty were agreed upon between John F. Schermerhorn, commissioner on the part of the United States, and a delegation of the Cherokee people, on the first day of March, one thousand eight hundred and thirty-six. Which treaty and supplementary articles are in the words following, to wit:

Articles of a treaty concluded at New Echota in the State of Georgia on the 29th day of Decr. 1835 by General William Carroll and John F. Schermerhorn commissioners on the part of the United States and the Chiefs Head Men and People of the Cherokee tribe of Indians.

Whereas the Cherokees are anxious to make some arrangements with the Government of the United States whereby the difficulties they have

experienced by a residence within the settled parts of the United States under the jurisdiction and laws of the State Governments may be terminated and adjusted; and with a view to reuniting their people in one body and securing a permanent home for themselves and their posterity in the country selected by their forefathers without the territorial limits of the State sovereignties; and where they can establish and enjoy a Government of their choice and perpetuate such a state of society as may be most consonant with their views habits and condition; and as may tend to their individual comfort and their advancement in civilization.

And whereas a delegation of the Cherokee nation composed of Messrs. John Ross Richard Taylor Danl McCoy Samuel Gunter and William Rogers with full power and authority to conclude a treaty with the United States did on the 28th day of February 1835 stipulate and agree with the Government of the United States to submit to the Senate to fix the amount which should be allowed the Cherokees for their claims and for a cession of their lands east of the Mississippi river and did agree to abide by the award of the Senate of the United States themselves and to recommend the same to their people for their final determination

And whereas on such submission the Senate advised "that a sum not exceeding five millions of dollars be paid to the Cherokee Indians for all their lands and possessions east of the Mississippi river"

And whereas this delegation after said award of the Senate had been made, were called upon to submit propositions as to its disposition to be arranged in a treaty which they refused to do, but insisted that the same "should be referred to their nation and there in general council to deliberate and determine on the subject in order to ensure harmony and good feeling among themselves"

And whereas a certain other delegation composed of John Ridge Elias Boudinot Archilla Smith S. W. Bell John West Wm. A. Davis and Ezekiel West, who represented that portion of the nation in favor of emigration to the Cherokee country west of the Mississippi entered into propositions for a treaty which John F. Schermerhorn commissioner on the part of the United States which were to be submitted to their nation for their final action and determination:

And whereas the Cherokee people, at their last October council at Red Clay, fully authorized and empowered a delegation or committee of twenty persons of their nation to enter into and conclude a treaty with the United States commissioner then present, *at that place or elsewhere* and as the people had good reason to believe that a treaty would then and there be made or at a subsequent council at New Echota which the commissioners it was well known and understood, were authorized and instructed to convene for said purpose; and since the said delegation have gone on to Washington city, with a view to close negotiations there, as stated by them notwithstanding they were officially informed by the United States commissioner that they would not be received by the President of the United States; and that the Government would transact no business of this nature with them, and that if a treaty was made it must be done here in the nation, where the delegation at Washington last winter *urged that it should be done for the purpose of promoting peace and harmony among the people*; and since these facts have also been corroborated to us by a communication recently received by the commissioner from the Government of the United States and read and explained to the people in open council and

therefore believing said delegation can effect nothing and since our difficulties are daily increasing and our situation is rendered more and more precarious uncertain and insecure in consequence of the legislation of the States ; and seeing no effectual way of relief, but in accepting the liberal overtures of the United States

And whereas Genl William Carroll and John F. Schermerhorn were appointed commissioners on the part of the United States, with full power and authority to conclude a treaty with the Cherokees east and were directed by the President to convene the people of the nation in general council at New Echota and to submit said propositions to them with power and authority to vary the same so as to meet the views of the Cherokees in reference to its details

And whereas the said commissioners did appoint and notify a general council of the nation to convene at new Echota on the 21st day of December 1835 ; and informed them that the commissioners would be prepared to make a treaty with the Cherokee people who should assemble there and those who did not come they should conclude gave their assent and sanction to whatever should be transacted at this council and the people having met in council according to said notice

Therefore the following articles of a treaty are agreed upon and concluded between William Carrol and John F. Schermerhorn commissioners on the part of the United States and the chiefs head men and people of the Cherokee nation in general council assembled this 29th day of Decr 1835.

ARTICLE 1. The Cherokee nation hereby cede relinquish and convey to the United States all the lands owned claimed or possessed by them east of the Mississippi river, and hereby release all their claims upon the United States for spoliations of every kind for and in consideration of the sum of five millions of dollars to be expended paid and invested in the manner stipulated and agreed upon in the following articles But as a question has arisen between the commissioners and the Cherokees whether the Senate in their resolution by which they advised "that a sum not exceeding five millions of dollars be paid to the Cherokee Indians for all their lands and possessions east of the Mississippi river" have included and made any allowance or consideration for claims for spoliations it is therefore agreed on the part of the United States that this question shall be again submitted to the Senate for their consideration and decision and if no allowance was made for spoliations that then an additional sum of three hundred thousand dollars be allowed for the same.

ARTICLE 2. Whereas by the treaty of May 6th 1828 and the supplementary treaty thereto of Feb. 14th, 1833 with the Cherokees west of the Mississippi the United States guarantied and secured to be conveyed by patent, to the Cherokee nation of Indians the following tract of country "Beginning at a point on the old western territorial line of Arkansas Territory being twenty-five miles, north from the point where the territorial line crosses Arkansas river, thence running from said north point south on the said territorial line where the said territorial line crosses Verdigris river ; thence down said Verdigris river to the Arkansas river ; thence down said Arkansas to a point where a stone is placed opposite the east or lower bank of Grand river at its junction with the Arkansas ; thence running south forty-four degrees west one mile ; thence in a straight line to a point four miles northerly, from the mouth of the north fork of the Canadian ; thence along the said four mile line to the Canadian ; thence down the Canadian to the Arkansas ; thence down the Arkansas to

that point on the Arkansas where the eastern Choctaw boundary strikes said river and running thence with the western line of Arkansas Territory as now defined, to the southwest corner of Missouri; thence along the western Missouri line to the land assigned the Senecas; thence on the south line of the Senecas to Grand river; thence up said Grand river as far as the south line of the Osage reservation, extended if necessary; thence up and between said south Osage line extended west if necessary and a line drawn due west from the point of beginning to a certain distance west, at which a line running north and south from said Osage line to said due west line will make seven millions of acres within the whole described boundaries, In addition to the seven millions of acres of land thus provided for and bounded, the United States further guaranty to the Cherokee nation a perpetual outlet west, and a free and unmolested use of all the country west of the western boundary of said seven millions of acres, as far west as the sovereignty of the United States and their right of soil extend :

Provided however That if the saline or salt plain on the western prairie shall fall within said limits prescribed for said outlet, the right is reserved to the United States to permit other tribes of red men to get salt on said plain in common with the Cherokees; And letters patent shall be issued by the United States as soon as practicable for the land hereby guaranteed"

And whereas it is apprehended by the Cherokees that in the above cession there is not contained a sufficient quantity of land for the accommodation of the whole nation on their removal west of the Mississippi the United States in consideration of the sum of five hundred thousand dollars therefore hereby covenant and agree to convey to the said Indians, and their descendants by patent, in fee simple the following additional tract of land situated between the west line of the State of Missouri and the Osage reservation beginning at the southeast corner of the same and runs north along the east line of the Osage lands fifty miles to the northeast corner thereof; and thence east to the west line of the State of Missouri; thence with said line south fifty miles; thence west to the place of beginning; estimated to contain eight hundred thousand acres of land; but it is expressly understood that if any of the lands assigned the Quapaws shall fall within the aforesaid bounds the same shall be reserved and excepted out of the lands above granted and a pro rata reduction shall be made in the price to be allowed to the United States for the same by the Cherokees.

ARTICLE 3. The United States also agree that the lands above ceded by the treaty of Feb. 14 1833, including the outlet, and those ceded by this treaty shall all be included in one patent executed to the Cherokee nation of Indians by the President of the United States according to the provisions of the act of May 28 1830. It is, however, agreed that the military reservation at Fort Gibson shall be held by the United States. But should the United States abandon said post and have no further use for the same it shall revert to the Cherokee nation. The United States shall always have the right to make and establish such post and military roads and forts in any part of the Cherokee country, as they may deem proper for the interest and protection of the same and the free use of as much land, timber, fuel and materials of all kinds for the construction and support of the same as may be necessary; provided that if the private rights of individuals are interfered with, a just compensation therefor shall be made.

ARTICLE 4. The United States also stipulate and agree to extinguish for the benefit of the Cherokees the titles to the reservations within their coun

try made in the Osage treaty of 1825 to certain half-breeds and for this purpose they hereby agree to pay to the persons to whom the same belong or have been assigned or to their agents or guardians whenever they shall execute, after the ratification of this treaty a satisfactory conveyance for the same, to the United States, the sum of fifteen thousand dollars according to a schedule accompanying this treaty of the relative value of the several reservations.

And whereas by the several treaties between the United States and the Osage Indians the Union and Harmony Missionary reservations which were established for their benefit are now situated within the country ceded by them to the United States; the former being situated in the Cherokee country and the latter in the State of Missouri. It is, therefore agreed that the United States shall pay the American Board of Commissioners for Foreign Missions for the improvements on the same what they shall be appraised at by Capt. Geo. Vashon Cherokee sub-agent Abraham Redfield and F. P. Chouteau or such persons as the President of the United States shall appoint and the money allowed for the same shall be expended in schools among the Osages and improving their condition. It is understood that the United States are to pay the amount allowed for the reservations in this article and not the Cherokees.

ARTICLE 5. The United States hereby covenant and agree that the lands ceded to the Cherokee nation in the foregoing article shall, in no future time without their consent, be included within the territorial limits or jurisdiction of any State or Territory. But they shall secure to the Cherokee nation the right by their national councils to make and carry into effect all such laws as they may deem necessary for the government and protection of the persons and property within their own country belonging to their people or such persons as have connected themselves with them: provided always that they shall not be inconsistent with the constitution of the United States and such acts of Congress as have been or may be passed regulating trade and intercourse with the Indians; and also, that they shall not be considered as extending to such citizens and army of the United States as may travel or reside in the Indian country by permission according to the laws and regulations established by the Government of the same.

ARTICLE 6. Perpetual peace and friendship shall exist between the citizens of the United States and the Cherokee Indians. The United States agree to protect the Cherokee nation from domestic strife and foreign enemies and against intestine wars between the several tribes. The Cherokees shall endeavor to preserve and maintain the peace of the country and not make war upon their neighbors they shall also be protected against interruption and intrusion from citizens of the United States, who may attempt to settle in the country without their consent; and all such persons shall be removed from the same by order of the President of the United States. But this is not intended to prevent the residence among them of useful farmers mechanics and teachers for the instruction of Indians according to treaty stipulations.

ARTICLE 7. The Cherokee nation having already made great progress in civilization and deeming it important that every proper and laudable inducement should be offered to their people to improve their condition as well as to guard and secure in the most effectual manner the rights guaranteed to them in this treaty, and with a view to illustrate the liberal and enlarged policy of the Government of the United States towards the Indians

in their removal beyond the territorial limits of the States, it is stipulated that they shall be entitled to a delegate in the House of Representatives of the United States whenever Congress shall make provision for the same.

ARTICLE 8. The United States also agree and stipulate to remove the Cherokees to their new homes and to subsist them one year after their arrival there, and that a sufficient number of steamboats and baggage-wagons shall be furnished to remove them comfortably, and so as not to endanger their health, and that a physician well supplied with medicines shall accompany each detachment of emigrants removed by the Government. Such persons and families as, in the opinion of the emigrating agent are capable of subsisting and removing themselves shall be permitted to do so; and they shall be allowed in full for all claims for the same twenty dollars for each member of their family; and in lieu of their one year's rations they shall be paid the sum of thirty-three dollars and thirty-three cents if they prefer it.

Such Cherokees also as reside at present out of the nation and shall remove with them, in two years west of the Mississippi shall be entitled to allowance for removal and subsistence as above provided.

ARTICLE 9. The United States agree to appoint suitable agents who shall make a just and fair valuation of all such improvements now in the possession of the Cherokees as add any value to the lands; and also of the ferries owned by them, according to their nett income; and such improvements and ferries from which they have been dispossessed in a lawless manner or under any existing laws of the State where the same may be situated.

The just debts of the Indians shall be paid out of any moneys due them for their improvements and claims; and they shall also be furnished at the discretion of the President of the United States with a sufficient sum to enable them to obtain the necessary means to remove themselves to their new homes, and the balance of their dues shall be paid them at the Cherokee agency west of the Mississippi. The missionary establishments shall also be valued and appraised in a like manner and the amount of them paid over by the United States to the treasurers of the respective missionary societies by whom they have been established and improved in order to enable them to erect such buildings and make such improvements among the Cherokees west of the Mississippi as they may deem necessary for their benefit. Such teachers at present among the Cherokees as this council shall select and designate shall be removed west of the Mississippi with the Cherokee nation and on the same terms allowed to them.

ARTICLE 10. The President of the United States shall invest in some safe and most productive public stocks of the country for the benefit of the whole Cherokee nation who have removed or shall remove to the lands assigned by this treaty to the Cherokee nation west of the Mississippi the following sums as a permanent fund for the purposes hereinafter specified and pay over the nett income of the same annually to such person or persons as shall be authorized or appointed by the Cherokee nation to receive the same and their receipt shall be a full discharge for the amount paid to them viz: the sum of two hundred thousand dollars in addition to the present annuities of the nation to constitute a general fund the interest of which shall be applied annually by the council of the nation to such purposes as they may deem best for the general interest of their people. The sum of fifty thousand dollars to constitute an orphans fund the annual in-

come of which shall be expended towards the support and education of such orphan children as are destitute of the means of subsistence. The sum of one hundred and fifty thousand dollars in addition to the present school fund of the nation shall constitute a permanent school fund the interest of which shall be applied annually by the council of the nation for the support of common schools and such a literary institution of a higher order as may be established in the Indian country And in order to secure as far as possible the true and beneficial application of the orphans' and school fund the council of the Cherokee nation when required by the President of the United States shall make a report of the application of those funds and he shall at all times have the right if the funds have been misapplied to correct any abuses of them and direct the manner of their application for the purposes for which they were intended The council of the nation may by giving two years' notice of their intention withdraw their funds, by and with the consent of the President and Senate of the United States and invest them in such manner as they may deem most proper for their interest The United States also agree and stipulate to pay the just debts and claims against the Cherokee nation held by the citizens of the same and also the just claims of citizens of the United States for services rendered to the nation and the sum of sixty thousand dollars is appropriated for this purpose but no claims against individual persons of the nation shall be allowed and paid by the nation The sum of three hundred thousand dollars is hereby set apart to pay and liquidate the just claims of the Cherokees upon the United States for spoiliations of every kind, that have not been already satisfied under former treaties.

ARTICLE 11. The Cherokee nation of Indians believing it will be for the interest of their people to have all their funds and annuities under their own direction and future disposition hereby agree to commute their permanent annuity of ten thousand dollars for the sum of two hundred and fourteen thousand dollars, the same to be invested by the President of the United States as a part of the general fund of the nation; and their present school fund amounting to about fifty thousand dollars shall constitute a part of the permanent school fund of the nation.

ARTICLE 12. Those individuals and families of the Cherokee nation that are averse to a removal to the Cherokee country west of the Mississippi and are desirous to become citizens of the States where they reside and such as are qualified to take care of themselves and their property shall be entitled to receive their due portion of all the personal benefits accruing under this treaty for their claims, improvements and *per capita*; as soon as an appropriation is made for this treaty.

Such heads of Cherokee families as are desirous to reside within the States of North Carolina Tennessee and Alabama subject to the laws of the same; and who are qualified or calculated to become useful citizens shall be entitled, on the certificate of the commissioners to a pre-emption right to one hundred and sixty acres of land or one quarter section at the minimum Congress price; so as to include the present buildings or improvements of those who now reside there and such as do not live there at present shall be permitted to locate within two years any lands not already occupied by persons entitled to pre-emption privilege under this treaty and if two or more families live on the same quarter section and they desire to continue their residence in these States and are qualified as above specified they shall, on receiving their pre-emption certificate be entitled to the right of pre-emp-

tion to such lands as they may select not already taken by any person entitled to them under this treaty.

It is stipulated and agreed between the United States and the Cherokee people that John Ross James Starr George Hicks John Gunter George Chambers John Ridge Elias Boudinot George Sanders John Martin William Rogers Roman Nose Situwake and John Timpson shall be a committee on the part of the Cherokees to recommend such persons for the privilege of pre-emption rights as may be deemed entitled to the same under the above articles and to select the missionaries who shall be removed with the nation ; and that they be hereby fully empowered and authorized to transact all business on the part of the Indians which may arise in carrying into effect the provisions of this treaty and settling the same with the United States. If any of the persons above mentioned should decline acting or be removed by death ; the vacancies shall be filled by the committee themselves.

It is also understood and agreed that the sum of one hundred thousand dollars shall be expended by the commissioners in such manner as the committee deem best for the benefit of the poorer class of Cherokees as shall remove west or have removed west and are entitled to the benefits of this treaty. The same to be delivered at the Cherokee agency west as soon after the removal of the nation as possible.

ARTICLE 13. In order to make a final settlement of all the claims of the Cherokees for reservations granted under former treaties to any individuals belonging to the nation by the United States it is therefore hereby stipulated and agreed and expressly understood by the parties to this treaty—that all the Cherokees and their heirs and descendants to whom any reservations have been made under any former treaties with the United States, and who have not sold or conveyed the same by deed or otherwise and who in the opinion of the commissioners have complied with the terms on which the reservations were granted as far as practicable in the several cases ; and which reservations have since been sold by the United States shall constitute a just claim against the United States and the original reservee or their heirs or descendants shall be entitled to receive the present value thereof from the United States as unimproved lands. And all such reservations as have not been sold by the United States and where the terms on which the reservations were made in the opinion of the commissioners have been complied with as far as practicable, they or their heirs or descendants shall be entitled to the same. They are hereby granted and confirmed to them—and also all persons who were entitled to reservations under the treaty of 1817 and who as far as practicable in the opinion of the commissioners, have complied with the stipulations of said treaty, although by the treaty of 1819 such reservations were included in the unceded lands belonging to the Cherokee nation are hereby confirmed to them and they shall be entitled to receive a grant for the same. And all such reservees as were obliged by the laws of the States in which their reservations were situated, to abandon the same or purchase them from the States shall be deemed to have a just claim against the United States for the amount by them paid to the States with interest thereon for such reservations and if obliged to abandon the same, to the present value of such reservations as unimproved lands but in all cases where the reservees have sold their reservations or any part thereof and conveyed the same by deed or otherwise and have been paid for the same, they their heirs or descen-

dants or their assigns shall not be considered as having any claims upon the United States under this article of the treaty nor be entitled to receive any compensation for the lands thus disposed of. It is expressly understood by the parties to this treaty that the amount to be allowed for reservations under this article shall not be deducted out of the consideration money allowed to the Cherokees for their claims for spoiliations and the cession of their lands; but the same is to be paid for independently by the United States as it is only a just fulfilment of former treaty stipulations.

ARTICLE 14. It is also agreed on the part of the United States that such warriors of the Cherokee nation as were engaged on the side of the United States in the late war with Great Britain and the southern tribes of Indians, and who were wounded in such service shall be entitled to such pensions as shall be allowed them by the Congress of the United States to commence from the period of their disability.

ARTICLE 15. It is expressly understood and agreed between the parties to this treaty that after deducting the amount which shall be actually expended for the payment for improvements, ferries, claims, for spoiliations, removal subsistence and debts and claims upon the Cherokee nation and for the additional quantity of lands and goods for the poorer class of Cherokees and the several sums to be invested for the general national funds; provided for in the several articles of this treaty the balance whatever the same may be shall be equally divided between all the people belonging to the Cherokee nation east according to the census just completed; and such Cherokees as have removed west since June 1833 who are entitled by the terms of their enrolment and removal to all the benefits resulting from the final treaty between the United States and the Cherokees east they shall also be paid for their improvements according to their approved value before their removal where fraud has not already been shown in their valuation.

ARTICLE 16. It is hereby stipulated and agreed by the Cherokees that they shall remove to their new homes within two years from the ratification of this treaty and that during such time the United States shall protect and defend them in their possessions and property and free use and occupation of the same and such persons as have been dispossessed of their improvements and houses; and for which no grant has actually issued previously to the enactment of the law of the State of Georgia, of December 1835 to regulate Indian occupancy shall be again put in possession and placed in the same situation and condition; in reference to the laws of the State of Georgia as the Indians that have not been dispossessed; and if this is not done; and the people are left unprotected; then the United States shall pay the several Cherokees for the losses and damages sustained by them in consequence thereof. And it is also stipulated and agreed that the public buildings and improvements on which they are situated at New Echota for which no grant has been actually made previous to the passage of the above recited act; if not occupied by the Cherokee people shall be reserved for the public and free use of the United States and the Cherokee Indians for the purpose of settling and closing all the Indian business arising under this treaty between the commissioners of claims and the Indians.

The United States, and the several States interested in the Cherokee lands; shall immediately proceed to survey the lands ceded by this treaty; but it is expressly agreed and understood between the parties that the agency buildings and that tract of land surveyed and laid off for the use

of Colonel R. J. Meigs Indian agent or heretofore enjoyed and occupied by his successors in office shall continue subject to the use and occupancy of the United States, or such agent as may be engaged specially superintending the removal of the tribe.

ARTICLE 17. All the claims arising under or provided for in the several articles of this treaty, shall be examined and adjudicated by Gen Wm Carroll and John F. Schermerhorn or by such commissioners as shall be appointed by the President of the United States for that purpose and their decision shall be final and on their certificate of the amount due the several claimants they shall be paid by the United States. All stipulations in former treaties which have not been superseded or annulled by this shall continue in full force and virtue.

ARTICLE 18. Whereas in consequence of the unsettled affairs of the Cherokee people and the early frosts, their crops are insufficient to support their families and great distress is likely to ensue and whereas the nation will not, until after their removal be able advantageously to expend the income of the permanent funds of the nation it is therefore agreed that the annuities of the nation which may accrue under this treaty for two years, the time fixed for their removal shall be expended in provision and clothing for the benefit of the poorer class of the nation; and the United States hereby agree to advance the same for that purpose as soon after the ratification of this treaty as an appropriation for the same shall be made. It is however not intended in this article to interfere with that part of the annuities due the Cherokees west by the treaty of 1819.

ARTICLE 19. This treaty after the same shall be ratified by the President and Senate of the United States shall be obligatory on the contracting parties.

In testimony whereof the commissioners and the chiefs head men and people whose names are hereunto annexed being duly authorized by the people in general council assembled have affixed their hands and seals for themselves and in behalf of the Cherokee nation.

I have examined the foregoing treaty and although not present when it was made, I approve its provisions generally, and therefore sign it

WM CARROLL,	[L. S.]
J. F. SCHERMERHORN,	[L. S.]
MAJOR RIDGE, his x mark,	[L. S.]
JAMES FOSTER, his x mark,	[L. S.]
TESA-TA-ESKY, his x mark,	[L. S.]
CHARLES MOORE, his x mark,	[L. S.]
GEORGE CHAMBERS, his x mark,	[L. S.]
TAH-YESKE, his x mark,	[L. S.]
ARCHILLA SMITH, his x mark,	[L. S.]
ANDREW ROSS,	[L. S.]
WILLIAM LASSLEY,	[L. S.]
CAE-TE-HEE, his x mark,	[L. S.]
TE-GAH-E-SKE, his x mark,	[L. S.]
ROBERT ROGERS,	[L. S.]
JOHN GUNTER,	[L. S.]
JOHN A. BEIL,	[L. S.]
CHARLES F. FOREMAN,	[L. S.]
WILLIAM ROGERS,	[L. S.]
GEORGE W. ADAIR,	[L. S.]

ELIAS BOUDINOT,	[L. S.]
JAMES STARR, his x mark,	[L. S.]
JESSE HALF-BREED, his x mark,	[L. S.]

Signed and sealed in presence of

WESTERN B. THOMAS, *Secry.*

BENJ. F. CURREY, *Special Agent.*

M. WOLF BATEMAN, *1st Lt. 6th U. S. A. inf. Disbg. Agent.*

JNO. L. HOOPER, *Lt. 4th inf.*

C. M. HITCHCOCK, *M. D. Assist. Surg. U. S. A.*

G. W. CURREY.

WM. H. UNDERWOOD.

CORNELIUS D. TERHUNE.

JOHN W. H. UNDERWOOD.

In compliance with instructions of the council at New Echota we sign this treaty.

STAND WATIE,
JOHN RIDGE.

March 1, 1836.

Witnesses:

ELBERT HERRING.

ALEXANDER H. EVERETT.

JOHN ROBB.

D. KURTZ.

WM. Y. HANSELL.

SAMUEL J. POTTS.

JNO. LITTLE.

S. ROCKWELL.

The following article was adopted as a supplemental article to the treaty by a unanimous vote of the committee and ordered to be attached to, and considered as part of this treaty.

ARTICLE 20. The United States do also hereby guaranty the payment of all unpaid just claims upon the Indians, without expense to them, out of the proper funds of the United States, for the settlement of which a cession or cessions of land has or have been heretofore made by the Indians, in Georgia. Provided the United States or the State of Georgia has derived benefit from the said cession or cessions of land without having made payment to the Indians therefor. It is hereby however further agreed and understood that if the Senate of the United States disapprove of this article it may be rejected without impairing any other provision of this treaty, or affecting the Indians in any manner whatever.

A. MCCOY, *Clerk Committee.*

W. B. THOMAS, *Secry.*

In compliance with the unanimous request of the Committee of the Cherokee nation in general council assembled, it is consented and agreed by the commissioner on the part of the United States that the foregoing shall be added as a supplemental article to the treaty under the express condition and stipulation that if the President or Senate of the United States

disapprove of this article it may be rejected without impairing any other provision of this treaty, or affecting the Indians in any manner whatever.

J. F. SCHERMERHORN.

Whereas the western Cherokees have appointed a delegation to visit the eastern Cherokees to assure them of the friendly disposition of their people and their desire that the nation should again be united as one people and to urge upon them the expediency of accepting the overtures of the Government; and that, on their removal they may be assured of a hearty welcome and an equal participation with them in all the benefits and privileges of the Cherokee country west and the undersigned two of said delegation being the only delegates in the eastern nation from the west at the signing and sealing of the treaty lately concluded at New Echota between their eastern brethren and the United States; and having fully understood the provisions of the same they agree to it in behalf of the western Cherokees But it is expressly understood that nothing in this treaty shall affect any claims of the western Cherokees on the United States.

In testimony whereof, we have, this 31st day of December, 1835, hereunto set our hands and seals.

JAMES ROGERS, [L. s.]

his
JOHN X SMITH, [L. s.]
mark.

Delegates from the western Cherokees.

Test:

BEN. F. CURREY, *Special Agent.*

M. W. BATEMAN, *First Lieut. 6th Infantry.*

JNO. L. HOOPER, *Lieu 4th Infy,*

ELIAS BOUDINOT.

Schedule and estimated value of the Osage half-breed reservations within the territory ceded to the Cherokees west of the Mississippi, (referred to in article 5 of the foregoing treaty,) viz :

Augustus Clarмонт	one section	-	-	-	-	\$6,000
James	" "	-	-	-	-	1,000
Paul	" "	-	-	-	-	1,300
Henry	" "	-	-	-	-	800
Anthony	" "	-	-	-	-	1,800
Rosalie	" "	-	-	-	-	1,800
Emilia D, of Mihanga		-	-	-	-	1,000
Emilia D, of Shemianga		-	-	-	-	1,300
						<u>\$16,000</u>

I hereby certify that the above schedule is the estimated value of the Osage reservations; as made out and agreed upon with Colonel A. P. Chouteau who represented himself as the agent or guardian of the above reservees.

March 14, 1835.

J. F. SCHERMERHORN.

Supplementary articles to a treaty concluded at New Echota, Georgia, December 29, 1835, between the United States and Cherokee people.

Whereas the undersigned were authorized at the general meeting of the Cherokee people held at New Echota as above stated, to make and assent to such alterations in the preceding treaty as might be thought necessary, and whereas the President of the United States has expressed his determination not to allow any pre-emptions or reservations his desire being that the whole Cherokee people should remove together and establish themselves in the country provided for them west of the Mississippi river.

ARTICLE 1. It is therefore agreed that all the pre-emption rights and reservations provided for in articles 12 and 13 shall be and are hereby relinquished and declared void.

ARTICLE 2. Whereas the Cherokee people have supposed that the sum of five millions of dollars fixed by the Senate in their resolution of — day of March, 1835, as the value of the Cherokee lands and possessions east of the Mississippi river was not intended to include the amount which may be required to remove them, nor the value of certain claims which many of their people had against citizens of the United States, which suggestion had been confirmed by the opinion expressed to the War Department by some of the Senators who voted upon the question and whereas the President is willing that this subject should be referred to the Senate for their consideration and if it was not intended by the Senate that the above-mentioned sum of five millions of dollars should include the objects herein specified that in that case such further provision should be made therefore, as might appear to the Senate to be just.

ARTICLE 3. It is therefore agreed that the sum of six hundred thousand dollars shall be and the same is hereby allowed to the Cherokee people to include the expense of their removal, and all claims of every nature and description against the Government of the United States not herein otherwise expressly provided for, and to be in lieu of the said reservations and pre-emptions and of the sum of three hundred thousand dollars for spoliation described in the 1st article of the above-mentioned treaty. This sum of six hundred thousand dollars shall be applied and distributed agreeably to the provisions of the said treaty, and any surplus which may remain after removal and payment of the claims so ascertained shall be turned over and belong to the education fund.

But it is expressly understood that the subject of this article is merely referred hereby to the consideration of the Senate and if they shall approve the same then this supplement shall remain part of the treaty.

ARTICLE 4. It is also understood that the provisions in article 16, for the agency reservation is not intended to interfere with the occupant right of any Cherokees should their improvement fall within the same.

It is also understood and agreed, that the one hundred thousand dollars appropriated in article 12 for the poorer class of Cherokees and intended as a set-off to the pre-emption rights shall now be transferred from the funds of the nation and added to the general national fund of four hundred thousand dollars so as to make said fund equal to five hundred thousand dollars.

ARTICLE 5. The necessary expenses attending the negotiation of the aforesaid treaty and supplement and also of such persons of the delegation as may sign the same shall be defrayed by the United States.

In testimony whereof John F. Schermerhorn, commissioner on the part of the United States, and the undersigned delegation have hereunto set their hands and seals, this first day of March, in the year one thousand eight hundred and thirty-six.

J. F. SCHERMERHORN,	[L. S.]
MAJOR RIDGE, his x mark,	[L. S.]
JAMES FOSTER, his x mark,	[L. S.]
TAU-YE-SKE, his x mark,	[L. S.]
LONG SHELL TURTLE, his x mark,	[L. S.]
JOHN FIELDS, his x mark,	[L. S.]
JAMES FIELDS, his x mark,	[L. S.]
GEORGE WELCH, his x mark,	[L. S.]
ANDREW ROSS,	[L. S.]
WILLIAM ROGERS,	[L. S.]
JOHN GUNTER,	[L. S.]
JOHN A. BELL,	[L. S.]
JOS. A. FOREMAN,	
ROBERT SANDERS,	[L. S.]
ELIAS BOUDINOT,	[L. S.]
JOHNSON ROGERS,	[L. S.]
JAMES STARR, his x mark,	[L. S.]
STAND WATIE,	[L. S.]
JOHN RIDGE,	[L. S.]
JAMES RODGERS,	[L. S.]
JOHN SMITH, his x mark,	[L. S.]

Witnesses :

ELBERT HERRING,
THOS. GLASCOCK,
ALEXANDER H. EVERETT,
JNO. GARLAND, *Majr U. S. A.*
C. A. HARRIS,
JOHN ROBB,
WM. Y. HANSELL,
SAML. J. POTTS,
JNO. LITTLE,
S. ROCKWELL.

NOW THEREFORE BE IT KNOWN, THAT I, ANDREW JACKSON, President of the United States of America, having seen and considered the said Treaty, and also the Supplementary Article thereunto annexed, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the eighteenth day of May, one thousand eight hundred and thirty-six, accept, ratify, and confirm the same, with the following amendments thereto, as expressed in the aforesaid resolution of the Senate. "Article 17, lines 2 and 3, strike out the words 'by General William Carroll and John F. Schermerhorn, or.'" "In the 4th line of the same article, after the word 'States,' insert 'by and with the advice and consent of the Senate of the United States.'" "Strike out the 20th article which appears as a supplemental article."

IN TESTIMONY WHEREOF I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

DONE at the city of Washington, this twenty-third day of May, in
[L. S.] the year of our Lord one thousand eight hundred and thirty-six,
and of the independence of the United States the sixtieth.

ANDREW JACKSON.

By the President :

JOHN FORSYTH,

Secretary of State.

TREATY between the United States of America and the Chiefs and Delegates of the Ottawa and Chippewa nations of Indians. Concluded March 11, 1836—Ratified May 27th, 1836.

ANDREW JACKSON, President of the United States of America, to all and singular to whom these presents shall come, Greeting :

WHEREAS a Treaty was made and concluded at the city of Washington, in the District of Columbia, between Henry R. Schoolcraft, commissioner on the part of the United States, and the Ottawa and Chippewa nations of Indians, by their chiefs and delegates, on the twenty-eighth day of March one thousand eight hundred and thirty-six ; and an article supplementary thereto was also agreed upon on the thirty-first day of March in the same year ; which Treaty and supplementary article are in the following words, to wit :

Articles of a treaty made and concluded at the city of Washington in the District of Columbia, between Henry R. Schoolcraft, commissioner on the part of the United States, and the Ottawa and Chippewa nations of Indians, by their chiefs and delegates,

ARTICLE FIRST, The Ottawa and Chippewa nations of Indians cede to the United States all the tract of country within the following boundaries: Beginning at the mouth of the grand river of Lake Michigan on the north bank thereof, and following up the same to the line called for, in the first article of the treaty of Chicago of the 29th of August 1821, thence, in a direct line, to the head of Thunder bay river, thence with the line established by the treaty of Saganaw of the 24th of September 1819, to the mouth of said river, thence northeast to the boundary line in Lake Huron between the United States and the British province of Upper Canada, thence north-westwardly, following the said line, as established by the commissioners acting under the treaty of Ghent, through the straits, and river St. Mary's, to a point in Lake Superior north of the mouth of *Gitchy Seeling*, or Chocolate river, thence south to the mouth of said river and up its channel to the source thereof, thence, in a direct line to the head of the *Skonawba* river of Green bay, thence down the south bank of said river to its mouth, thence, in a direct line, through the ship channel into Green bay, to the outer part thereof, thence south to a point in Lake Michigan west of the north cape, or entrance of Grand river, and thence east to the place of beginning, at the cape aforesaid, comprehending all the lands and islands, within these limits, not hereinafter reserved,

ARTICLE SECOND, From the cession aforesaid the tribes reserve for

their own use, to be held in common the following tracts, namely: One tract of fifty thousand acres to be located on little Traverse bay: one tract of twenty thousand acres to be located on the north shore of Grand Traverse bay, one tract of seventy thousand acres to be located on, or, north of the *Piere Marquette* river, one tract of one thousand acres to be located by Chingassanoo,—or the Big Sail, on the Cheboigan. One tract of one thousand acres, to be located by Mujeekewis, on Thunder-bay river.

ARTICLE THIRD, There shall also be reserved for the use of the Chippewas living north of the straits of Michilimackinac, the following tracts, that is to say: Two tracts of three miles square each, on the north shores of the said straits, between *Point-au-Barbe* and *Mille Coquin* river including the fishing grounds in front of such reservations, to be located by a council of the chiefs. The Beaver islands of Lake Michigan for the use of the Beaver-island Indians. Round island, opposite Michilimackinac, as a place of encampment for the Indians, to be under the charge of the Indian department. The islands of the *Chenos*, with a part of the adjacent north coast of Lake Huron, corresponding in length, and one mile in depth. Sugar island, with its islets, in the river of St. Mary's. Six hundred and forty acres, at the mission of the Little Rapids. A tract commencing at the mouth of the *Pississowining* river, south of Point Iroquois, thence running up said stream to its forks, thence westward, in a direct line to the Red water lakes, thence across the portage to the Tacquimenone river, and down the same to its mouth, including the small islands and fishing grounds, in front of this reservation. Six hundred and forty acres, on Grand island, and two thousand acres, on the main land south of it. Two sections, on the northern extremity of Green bay, to be located by a council of the chiefs. All the locations, left indefinite by this, and the preceding articles, shall be made by the proper chiefs, under the direction of the President. It is understood that the reservation for a place of fishing and encampment, made under the treaty of St. Mary's of the 16th of June 1820, remains unaffected by this treaty.

ARTICLE FOURTH, In consideration of the foregoing cessions the United States engage to pay to the Ottawa and Chippewa nations, the following sums, namely. 1st. An annuity of thirty thousand dollars per annum, in specie, for twenty years; eighteen thousand dollars, to be paid to the Indians between Grand river and the Cheboigan; three thousand six hundred dollars, to the Indians on the Huron shore, between the Cheboigan and Thunder-bay river; and seven thousand four hundred dollars, to the Chippewas north of the straits, as far as the cession extends; the remaining one thousand dollars, to be invested in stock by the Treasury Department and to remain incapable of being sold, without the consent of the President and Senate, which may, however, be given, after the expiration of twenty-one years. 2nd. Five thousand dollars per annum, for the purposes of education, teachers, school houses, and books in their own language, to be continued twenty years, and as long thereafter as Congress may appropriate for the object. 3rd. Three thousand dollars for missions, subject to the conditions mentioned in the second clause of this article. 4th. Ten thousand dollars for agricultural implements, cattle, mechanics' tools, and such other objects as the President may deem proper. 5th. Three hundred dollars per annum for vaccine matter, medicines, and the services of physicians, to be continued, while the Indians remain on their reservations. 6th. Provisions to the amount of two thousand dollars; six

thousand five hundred pounds of tobacco; one hundred barrels of salt, and five hundred fish barrels, annually, for twenty years. 7th. One hundred and fifty thousand dollars, in goods and provisions, on the ratification of this treaty, to be delivered at Michilimackinac.

ARTICLE FIFTH, The sum of three hundred thousand dollars shall be set apart for the payment of just debts against the said Indians. All claims for such debts shall be examined by a commissioner to be appointed by the President and Senate, who shall act under such instructions as may be given to him, by the order of the President, for the purpose of preventing the allowance of unjust claims. The investigation shall be made at Michilimackinac, and no claims shall be allowed, except such as were contracted by Indians living within the district of country hereby ceded, and to citizens or residents of the United States. No claim shall be paid out of this fund unless the claimant will receive the sum allowed to him, as full payments of all debts, due to him by the said Indians. If the fund fall short of the full amount of just debts, then a ratable division shall be made. If it exceeds such amount, the balance shall be paid over to the Indians, in the same manner, that annuities are required by law to be paid.

ARTICLE SIXTH, The said Indians being desirous of making provision for their half-breed relatives, and the President having determined, that individual reservations shall not be granted, it is agreed, that in lieu thereof, the sum of one hundred and fifty thousand dollars shall be set apart as a fund for said half breeds. No person shall be entitled to any part of said fund, unless he is of Indian descent and actually resident within the boundaries described in the first article of this treaty, nor shall any thing be allowed to any such person, who may have received any allowance at any previous Indian treaty. The following principles, shall regulate the distribution. A census shall be taken of all the men, women, and children, coming within this article. As the Indians hold in higher consideration, some of their half-breeds than others, and as there is much difference in their capacity to use and take care of property, and, consequently, in their power to aid their Indian connexions, which furnishes a strong ground for this claim, it is, therefore, agreed, that at the council to be held upon this subject, the commissioner shall call upon the Indian chiefs to designate, if they require it, three classes of these claimants, the first of which, shall receive one-half more than the second, and the second, double the third. Each man woman and child shall be enumerated, and an equal share, in the respective classes, shall be allowed to each. If the father is living with the family, he shall receive the shares of himself, his wife and children, if the father is dead, or separated from the family, and the mother is living with the family, she shall have her own share, and that of the children. If the father and mother are neither living with the family, or if the children are orphans, their share shall be retained till they are twenty-one years of age provided, that such portions of it, as may, be necessary may, under the direction of the President, be from time to time applied for their support. All other persons at the age of twenty-one years, shall receive their shares agreeably to the proper class. Out of the said fund of one hundred and fifty thousand dollars, the sum of five thousand dollars, shall be reserved to be applied, under the direction of the President, to the support of such of the poor half-breeds, as may require assistance, to be expended in annual instalments for the term of ten years, commencing with the second year

Such of the half breeds, as may be judged incapable of making a proper use of the money, allowed them by the commissioner, shall receive the same in instalments, as the President may direct.

ARTICLE SEVENTH. In consideration of the cessions above made, and as a further earnest of the disposition felt to do full justice to the Indians, and to further their well being, the United States engage to keep two additional blacksmith-shops, one of which, shall be located on the reservation north of Grand river, and the other at the *Sault Ste. Marie*. A permanent interpreter will be provided at each of these locations. It is stipulated to renew the present dilapidated shop at Michilimackinac, and to maintain a gunsmith, in addition to the present smith's establishment, and to build a dormitory for the Indians visiting the post, and appoint a person to keep it, and supply it with firewood. It is also agreed, to support two farmers and assistants, and two mechanics, as the President may designate, to teach and aid the Indians, in agriculture, and the mechanic arts. The farmers and mechanics, and the dormitory, will be continued for ten years, and as long thereafter, as the President may deem this arrangement useful and necessary; but the benefits of the other stipulations of this article, should be continued beyond the expiration of the annuities, and it is understood that the whole of this article shall stand in force, and inure to the benefit of the Indians, as long after the expiration of the twenty years as Congress may appropriate for the objects.

ARTICLE EIGHTH. It is agreed, that as soon as the said Indians desire it, a deputation shall be sent to the west of the Mississippi, and to the country between Lake Superior and the Mississippi, and a suitable location shall be provided for them, among the Chippewas, if they desire it, and it can be purchased upon reasonable terms, and if not, then in some portion of the country west of the Mississippi, which is at the disposal of the United States. Such improvements as add value to the land, hereby ceded, shall be appraised, and the amount paid to the proper Indian. But such payment shall, in no case, be assigned to, or paid to, a white man. If the church on the Cheboigan, should fall within this cession, the value shall be paid to the band owning it. The mission establishments upon the Grand river shall be appraised and the value paid to the proper boards. When the Indians wish it, the United States will remove them, at their expense, provide them a year's subsistence in the country to which they go, and furnish the same articles, and equipments to each person, as are stipulated to be given to the Pottawatamies in the final treaty of cession concluded at Chicago.

ARTICLE NINTH, Whereas the Ottawas and Chippewas, feeling a strong consideration for aid rendered by certain of their half-breeds on Grand river, and other parts of the country ceded, and wishing to testify their gratitude on the present occasion, have assigned such individuals certain locations of land, and united in a strong appeal for the allowance of the same in this treaty; and whereas no such reservations can be permitted in carrying out the special directions of the President on this subject, it is agreed, that, in addition to the general fund set apart for half-breed claims, in the sixth article, the sum of forty-eight thousand one hundred and forty-eight dollars shall be paid for the extinguishment of this class of claims, to be divided in the following manner: To Rix Robinson, in lieu of a section of land, granted to his Indian family, on the Grand-river rapids, (estimated by good judges to be worth half a million,) at the rate of thir-

ty-six dollars an acre: To Leonard Slater, in trust for Chiminonoquat for a section of land above said rapids, at the rate of ten dollars an acre: To John A. Drew, for a tract of one section and three-quarters, to his Indian family, at Cheboigan rapids, at the rate of four dollars; to Edward Biddle, for one section to his Indian family at the fishing grounds, at the rate of three dollars: To John Holiday for five sections of land to five persons of his Indian family, at the rate of one dollar and twenty-five cents; to Eliza Cook, Sophia Biddle, and Mary Holiday, one section of land each, at two dollars and fifty cents: To Augustin Hamelin, junr, being of Indian descent, two sections, at one dollar and twenty-five cents; to William Lasley, Joseph Daily, Joseph Trotier, Henry A. Lenake, for two sections each, for their Indian families, at one dollar and twenty-five cents: To Luther Rice, Joseph Lafrombois, Charles Butterfield, being of Indian descent, and to George Moran, Louis Moran, G. D. Williams, for half-breed children under their care, and to Daniel Marsac, for his Indian child, one section each, at one dollar and twenty-five cents.

ARTICLE TENTH. The sum of thirty thousand dollars shall be paid to the chiefs, on the ratification of this treaty, to be divided agreeably to a schedule hereunto annexed.

ARTICLE ELEVENTH. The Ottawas having consideration for one of their aged chiefs, who is reduced to poverty, and it being known that he was a firm friend of the American Government, in that quarter, during the late war, and suffered much in consequence of his sentiments, it is agreed, that an annuity of one hundred dollars per annum shall be paid to Ningweegon or the Wing, during his natural life, in money or goods, as he may choose. Another of the chiefs of said nation, who attended the treaty of Greenville in 1793, and is now, at a very advanced age, reduced to extreme want, together with his wife, and the Government being apprized that he has pleaded a promise of Gen. Wayne, in his behalf, it is agreed that Chusco of Michilimackinac shall receive an annuity of fifty dollars per annum during his natural life.

ARTICLE TWELTH. All expenses attending the journeys of the Indians from, and to their homes, and their visit at the seat of Government, together with the expenses of the treaty, including a proper quantity of clothing to be given them, will be paid by the United States.

ARTICLE THIRTEEN. The Indians stipulate for the right of hunting on the lands ceded, with the other usual privileges of occupancy, until the land is required for settlement.

In testimony whereof, the said Henry R. Schoolcraft, commissioner on the part of the United States, and the chiefs and delegates of the Ottawa and Chippewa nations of Indians, have hereunto set their hands, at Washington the seat of Government, this twenty-eighth day of March, in the year one thousand eight hundred and thirty-six.

HENRY R. SCHOOLCRAFT.

JOHN HULBERT, *Secretary.*

OROUN AISHKUM, of Maskigo,	his mark x
WASSANGAZO, of do	his mark x
OSAWYA, of do	his mark x
WABI WINDEGO, of Grand river	his mark x
MEGISS ININEE, of do	his mark x
NABUN AGEEZHIG, of do	his mark x
WINNIMISSAGEE, of do	his mark x

MUKUTAYSEE, of Grand river,	his mark x
WASAW BEQUM, of do	his mark x
AINSE, of Michilimackinac,	his mark x
CHABOWAYWA, of do	his mark x
JAWBA WADICK, of Sault Ste. Marie,	his mark x
WAUB OGEEG, of do	his mark x
KAWGAYOSH, of do	
by MAIDOSAGEE,	his mark x
APAWKOZIGUN, of L'Arbre Croche,	his mark x
KEMINITCHAGUN, of do	his mark x
TAWAGANEE, of do	his mark x
KINOSHAMAIG, of do	his mark x
NAGANIGOBOWA, of do	his mark x
ONIASINO, of do	his mark x
MUKUDAY BENAIS, of do	his mark x
CHINGASSAMO, of do	his mark x
AISHQUAGONABEE, of Grand Traverse,	his mark x
AKOSA, of do	his mark x
OSHAWUN EPENAYSEE, of do	his mark x

LUCIUS LYON,
 R. P. PARROT, *Capt. U. S. Army*,
 W. P. ZANTZINGER, *Purser U. S. Navy*,
 JOSIAH F. POLK,
 JOHN HOLIDAY,
 JOHN A. DREW,
 RIX ROBINSON,
 LEONARD SLATER,
 LOUIS MORAN,
 AUGUSTIN HAMELIN, jr.,
 HENRY A. LENAKE,
 WILLIAM LASLEY,
 GEORGE W. WOODWARD,
 C. O. ERMATINGER.

Schedule referred to, in the tenth article.

1. The following chiefs constitute the first class, and are entitled to receive five hundred dollars each, namely: On Grand river, Muccutay Osha, Namatippy, Nawequa Geezhig or Noon Day, Nabun Egeezhig, son of Kewayguabowequa, Wabi Windego or the White Giant, Cawpemossay or the Walker, Mukutay Oquot or Black Cloud, Megiss Ininee or Wampuman, Winnimissage: on the Maskigo, Osawya, and Owun Aishcum; at L'Arbre Croche, Apawkozigun or Smoking Weed, Nisowakeout, Keminechawgun; at Grand Travers, Aishquagonabee, or the Feather of Honor, Chabwassun, Mikenok: on the Cheboigan, Chingassamo, or the Big Sail; at Thunderbay, Mujeekiwiss; on the Manistic North, Mukons Ewyman; at Oak Point on the straits, Ains: at the Chenos, Chabowaywa: at Sault Ste. Marie, Iawba Wadick and Kewayzi Shawano; at Tacquimenon, Kawgayosh; at Grand Island, Oshawun Epenaysee, or the South Bird.

2. The following chiefs constitute the second class, and are entitled to receive two hundred dollars each, namely: On Grand river, Keeshaowash, Nugogikaybee, Kewaytowaby, Wapoos or the Rabbit, Wabitouguaysay,

Kewatondo, Zhaquinaw, Nawiqua Geezhig of Flat river, Kenaytinunk, Weenonga, Pabawboco, Windecowiss, Muccutay Penay or Black Patridge, Kaynotin Aishcum, Boynashing, Shagwabeno son of White Giant, Tushetowun, Keway Gooshoun the former head chief, Pamossayga; at L'Arbe Croche, Sagitondowa, Ogiman Wininee, Megisawba, Mukuday Benais; at the Cross, Nishcajininee, Nawamushcota, Pabamitabi, Kimmewun, Gitchy Mocoman; at Grand Traverse, Akosa, Nebauquaum, Kabibonocca; at Little Traverse, Miscomamaingwa or Red Butterfly, Keezhigo Benais, Pamanikinong, Paimossega; on the Cheboigan, Chonees, or Little John, Shaweenossegay; on Thunder bay, Suganikwato; on Maskigo, Wassangazo; on Ossigomico or Platte river, Kaigwaidosay; at Manistee, Keway Goosheum; on river Pierre Markette, Saugima; at Saulte Ste. Marie, Nee-gaubayun, Mukudaywacquot, Cheegnd; at Carp river west of Grand island, Kaug Wyanaïs; at Mille Cocquin on the straits, Aubunway: at Michilimackinac, Missutigo, Saganosh, Akkugogeesh, Chebyawboas

3. The following persons constitute the third class, and are entitled to one hundred dollars each, namely: Kaysheewa, Penasee or Gun lake, Kenisoway, Keenabie of Grand river: Wasso, Mosaniko, Unwatin Oashcum, Nayogirna, Itawachkochi, Nanaw Ogomoo, Gitchy, Peendowan or Scabbard, Mukons, Kinochimaig, Tekamosimo, Pewaywitum, Mudji Keguaibi, Kewayauum, Paushkizigun or Big Gun, Onaansino, Ashquabaywiss, Negaunigabowi, Petossega, of L'Arbre Croche: Poiees or Dwarf and Pamossay of Cheboigan: Gitchy Ganocquot and Pamossegay of Thunder bay: Tabusshy Geeshick and Mikenok, of Carp river south of Grand Traverse; Wapooso, Kaubinau and Mudjeekee of river Pierre Markette: Pubokway, Manitowaba, and Mishewatig, of White river: Shawun Epenaysee and Agausgee of Grand Traverse: Micqumisit, Chusco of Mackinac; Keeshkidjiwun, Waub, Ojeeg, Aukudo, Winikis, Jaubeens, Maidosagee, Autya, Ishquagwunaby, Sheniwaygwunabi, son of Kakake, Nittum Ega-bowi, Magisanikway, Ketekewegauboway, of Sault Ste. Marie: Chegauzhee and Waubudo of Grand island: Ashegons, Kinuwais, Misquaonaby and Mongons of Carp and Chocolate rivers: Gitchy Penais son of Grosse Tete, and Waubissaig of Bay de Nocquet: Kainwaybekis and Pazhikway-witum of Beaver islands: Neezhick Epenais of the Ance: Ahdanima of Manistic: Mukwyon, Wahzahkoon, Oshawun, Oneshannocquot of the north shore of Lake Michigan: Nagauniby and Keway Gooshkum of the Chenos.

HENRY R. SCHOOLCRAFT,

Commissioner.

Supplemental article.

To guard against misconstruction in some of the foregoing provisions, and to secure, by further limitations, the just rights of the Indians, it is hereby agreed: that no claims, under the fifth article shall be allowed for any debts contracted previous to the late war, with Great Britain, or for goods supplied by foreigners to said Indians, or by citizens, who did not withdraw from the country, during its temporary occupancy by foreign troops, for any trade carried on, by such persons, during the said period. And it is also agreed: that no person receiving any commutation for a reservation, or any portion of the fund provided by the sixth article of this treaty, shall be entitled to the benefit of any part of the annuities herein stipulated. Nor shall any of the half-breeds, or blood relatives of the said

tribes, commuted with, under the provisions of the ninth article, have any further claim on the general commutation fund, set apart to satisfy reservation claims, in the said sixth article. It is also understood, that the personal annuities, stipulated in the eleventh article, shall be paid in specie, in the same manner that other annuities are paid. Any excess of the funds set apart in the fifth and sixth articles, shall, in lieu of being paid to the Indians, be retained and vested by the Government in stock under the conditions mentioned in the fourth article of this treaty.

In testimony whereof, the parties above recited, have hereunto set their hands, at Washington the seat of Government, this thirty-first day of March, in the year one thousand eight hundred and thirty-six.

HENRY R. SCHOOLCRAFT.

JOHN HULBERT, *Secretary.*

OWUN AISHKUM, of Maskigo,	his mark x
WASSANGAZO, of do	his mark x
OSAWYA, of do	his mark x
WABI WIDEGO, of Grand River,	his mark x
MEGISS ININEE, of do	his mark x
NABUN AGEEZHIG, of do	his mark x
AINSE, of Michilimackinac,	his mark x
CHABOWAYWA, of do	his mark x
JAUBA WADICK, of Sault St. Marie,	his mark x
WAUB OGEEG, of do	his mark x
KAWGAYOSH, of do	his mark x
by MAIDOSAGEE,	his mark x

ROBERT STEWART,
WM. MITCHELL,
JOHN A. DREW,
AUGUSTIN HAMELIN, jr.
RIX ROBINSON,
C. O. ERMATINGER.

TREATY between the United States of America and the Chiefs of the Swan Creek and Black River Bands of the Chippewa Nation. Concluded May 9. 1836—ratified May 20, 1836.

ANDREW JACKSON, President of the United States of America, to all and singular to whom these presents shall come, Greeting:

WHEREAS, a treaty was made at Washington, in the District of Colombia, on the ninth day of May, in the year of our Lord one thousand eight hundred and thirty-six, between Henry R. Schoolcraft, Commissioner on the part of the United States, and the chiefs of the Swan-creek and Black-river bands of the Chippewa nation, residing within the limits of Michigan, which treaty is in the words following, to wit:

Articles of a treaty made at Washington in the District of Colombia on the ninth day of May in the year of our Lord one thousand eight hundred and thirty-six, between Henry R. Schoolcraft, Commissioner on the part of the United States and the chiefs of the Swan-creek and Black-river bands of the Chippewa nation, residing within the limits of Michigan.

Whereas certain reservations of land were made to the said bands of In-

dians in the treaty concluded at Detroit on the 17th day of November, 1807, and these reservations after having been duly located, under the authority of the Government, have remained in their possession and occupancy to the present time : and whereas the said Indians actuated by considerations affecting their permanent improvement and happiness, are desirous of fixing their residence at some point more favorable to these objects, and have expressed their wishes to dispose of the same and authorized their chiefs to proceed to Washington for the purpose of making the necessary arrangement : It is therefore, after mature deliberation on their part, agreed as follows.

ARTICLE 1. The Swain-creek and Black-river bands of Chippewas cede to the United States the following tracts, namely : One tract of three miles square, or five thousand seven hundred and sixty acres on Swan-creek of Lake St. Clair : One tract of one section and three-quarters near Salt creek of said lake : One tract of one-fourth of a section at the mouth of the river Au Vaseau contiguous to the preceding cession : and one tract of two sections near the mouth of Black-river of the river St. Clair, estimated to contain, in the aggregate, eight thousand three hundred and twenty acres, be the same more or less.

ARTICLE 2. In consideration of the foregoing cessions, the United States agree to pay to the said Indians the nett proceeds of the sale thereof, after deducting the cost of survey and sale and the contingent expenses attending the treaty. The lands shall be surveyed and offered for sale in the usual manner, at the land office in Detroit, as soon as practicable after the ratification of this treaty. A special account shall be kept at the Treasury of the amount of the sales of the said lands, and after deducting therefrom the sums hereafter stipulated, to be advanced by the United States, ten thousand dollars shall be retained by the Treasury, and shall be paid to the said Indians in annuities of one thousand dollars a year for ten years ; and the residue of the fund shall be vested by the Secretary of the Treasury in the purchase of some State stock, the interest of which shall be annually paid to the said Indians like other annuities : *Provided*, That if at any time hereafter the said Indians shall desire to have the said stock sold, and the proceeds paid over to them, the same may be done, if the President and Senate consent thereto.

ARTICLE 3. The United States will advance to said Indians on the ratification of this treaty, to be deducted from the avails of these lands, the sum of two thousand five hundred dollars, and also goods to the value of four thousand dollars to be purchased in New York and delivered in bulk, at their expense, to the proper chiefs at Detroit, or at such point on Lake St. Clair as the chiefs may request : together with the expenses of the treaty, the journeys of the Indians to and from Washington and their subsistence and other expenses at the seat of Government.

ARTICLE 4. The United States will furnish the said Indians, eight thousand three hundred and twenty acres or thirteen sections of land, west of the Mississippi or northwest of St. Anthony's Falls, to be located by an agent or officer of the Government, and the evidence of such location shall be delivered to the chiefs.

In testimony whereof the said Henry R. Schoolcraft, commissioner as aforesaid, and the undersigned chiefs of the said bands of Chippewas

have hereunto set their hands, at Washington, the seat of Government, the day and year above expressed.

HENRY R. SCHOOLCRAFT,	[L. s.]
ESH-TON-O-QUOT, or <i>Clear Sky</i> ,	his x mark.
NAY-GEE-ZHIG, or <i>Driving Clouds</i> ,	his x mark.
MAY-ZIN, or <i>Checkered</i> ,	his x mark.
KEE-WAY-GEE-ZHIG, or <i>Returning Sky</i> ,	his x mark.

In presence of—

SAMUEL HUMES PORTER, *Secretary*,
 STEVENS T. MASON, *Gov. of Michigan*,
 LUCIUS LYON,
 JOHN HOLLIDAY, *interpreter*,
 JOSEPH F. MURRAY,
 GEORGE MORAN.

NOW THEREFORE BE IT KROWN, THAT I, ANDREW JACKSON, President of the United States of America, having seen and considered the said Treaty, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the twentieth day of May, one thousand eight hundred and thirty-six, accept, ratify, and confirm the same, and every clause and article thereof.

IN TESTIMONY WHEREOF, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

DONE at the city of Washington, this twenty-fifth day of May, in the year of our Lord one thousand eight hundred and thirty-six, and of the independence of the United States the sixtieth.

ANDREW JACKSON.

By the President :

JOHN FORSYTH,

Secretary of State.

TREATY between the United States of America and the Chief and headmen of Aub-ba-nau-ba's band of the Pottawatamie Indians. Concluded April 11, 1836—ratified May 20, 1836.

ANDREW JACKSON, President of the United States of America, to all and singular to whom these presents shall come, Greeting :

WHEREAS a Treaty was made and concluded at a camp, on Tippecanoe river, in the State of Indiana, between Abel C. Pepper, commissioner on the part of the United States, and Pau-koo-shuck, Aub-ba-naub-ba's oldest son, and the head men of Aub-ba-naub-ba's band of Pottawatamie Indians, on the eleventh day of April, in year eighteen hundred and thirty-six. Which treaty is in the words following, to wit :

Articles of a Treaty made and concluded at a camp, on Tippecanoe river, in the State of Indiana, between Abel C. Pepper, commissioner on the part of the United States, and Pau-koo-shuck, Aub-ba-naub-ba's oldest son, and the head men of Aub-ba-naub-ba's band of Pottawatamie Indians, this eleventh day of April, in the year eighteen hundred and thirty-six.

ARTICLE 1. The aforesaid Pau-koo-shuck and the head men of Aub-ba-naub-ba's band, hereby cede to the United States the thirty-six sections of

land reserved for them by the second article of the Treaty between the United States and the Pottawatamie Indians on Tippecanoe river on the twenty-sixth day of October, in the year eighteen hundred and thirty-two,—

ART. 2. In consideration of the cession aforesaid, the United State stipulate to pay to the aforesaid band the sum of twenty-three thousand and forty dollars in specie, one-half at the first payment of annuity, after the ratification of this Treaty, and the other half at the succeeding payment of annuity,—

ART. 3. The above-named Pau-koo shuck and his band agree to remove to the country west of the Mississippi river, provided for the Pottawatamie nation by the United States within two years,—

ART. 4. At the request of the above-named band it is stipulated that after the ratification of this treaty, the United States shall appoint a commissioner who shall be authorized to pay such debts of the said band as may be proved to his satisfaction to be just, to be deducted from the amount stipulated in the 2nd article of this treaty,—

ART. 5. This Treaty, after the same shall be ratified by the President and Senate of the United States, shall be binding upon both parties,—

In testimony whereof the said Able C. Pepper, commissioner as aforesaid, and the said Pau koo-shuck and his band, have hereunto set their hands, this eleventh day of April in the year of our Lord, one thousand eight hundred and thirty-six.

ABEL C. PEPPER.

PAU KOO-SHUCK,	his x mark.
TAW-WAH-QUAH,	her x mark.
SHAH-QUAW-KO-SHUCK,	{ his x mark.
<i>Aub-ba-naub-ba's son,</i>	
MAT-TAW-MIN,	his x mark.
SI-NIS-QUAH,	her x mark.
DAH-MOOSH-KE-KEAW,	her x mark.
NAN-WISH-MA,	his x mark.
O SAUK-KAY,	his x mark.
KE WAW-O-NUCK,	his x mark.
AUN-TUINE,	his x mark.
SIN-BA-NIM,	his x mark.
NEES-SE-KA-TAH,	his x mark.
KAW-KE-ME,	her x mark.
PE WAW KO,	her x mark.
O-KET-CHEE,	her x mark.
NAN-CEE,	her x mark.

Witnesses:

E. V. CLOTT, *Secretary.*
 HENRY OSSEM,
 THOMAS ROEB,
 WILLIAM POLKE,
 JOSEPH BAMONT, *principal interpreter.*
 JOSEPH TRUCKEY,
 GEORGE W. EWING,
 CYRUS TOBER.

NOW THEREFORE BE IT KNOWN, THAT I, ANDREW JACKSON, President of the United States of America, having seen and considered the said Treaty, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the twentieth day of May, one thousand eight hundred and thirty-six, accept, ratify, and confirm the same, with the exception of the fourth article, as excepted in the aforesaid resolution of the Senate; which fourth article is as follows: "Article 4. At the request of the above named band, it is stipulated that, after the ratification of this Treaty, the United States shall appoint a commissioner, who shall be authorized to pay such debts of the said band as may be proved to his satisfaction to be just, to be deducted from the amount stipulated in the second article of this Treaty."

IN TESTIMONY WHEREOF, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

DONE at the city of Washington this twenty-fifth day of May, in the year of our Lord one thousand eight hundred and thirty-six, and of the independence of the United States the sixtieth.

[L. S.]

ANDREW JACKSON.

By the President:

JOHN FORSYTH,
Secretary of State.

TREATY between the United States of America and the Chiefs and Delegates of the Pottawatamie tribe of Indians. Concluded April 22, 1836—Ratified May 20, 1836.

ANDREW JACKSON, President of the United States of America, to all and singular to whom these presents shall come, Greeting:

WHEREAS a treaty was made and concluded at the Indian Agency in the State of Indiana, between Abel C. Pepper, commissioner on the part of the United States, and O-kah-mause, Kee-waw-nay, Næ-boash, and Mat-chis-jaw, chiefs and head men of the Pottawatamie tribe of Indians and their bands, on the twenty-second day of April, in the year eighteen hundred and thirty-six, which treaty is in the words following, to wit:

Articles of a treaty, made and concluded at the Indian Agency, in the State of Indiana, between Abel C. Pepper, commissioner on the part of the United States, and O-kah-mause, Kee-waw-nay, Næ-boash, and Mat-chis-jaw, chiefs and head men of the Pottawatamie tribe of Indians and their bands, on the twenty-second day of April, in the year eighteen hundred and thirty-six.

ART. 1. The above named chiefs and head men and their bands, hereby cede to the United States, ten sections of land, reserved for them by the second article of the treaty, between the United States and the Pottawatamie tribe of Indians, on Tippecanoe river, on the 26th day of October, in the year 1832.

ART. 2. In consideration of the cession aforesaid, the United States stipulate to pay to the above named chiefs and head men and their bands, the

sum of six thousand four hundred dollars, at the first payment of annuity, after the ratification of this treaty.

ART. . The above named chiefs and head men and their bands agree to remove to the country west of the Mississippi river, provided for the Pottawatamie nation by the United States, within two years.

ART. 4. At the request of the above named bands it is stipulated that after the ratification of this treaty, the United States shall appoint a commissioner who shall be authorized to pay such debts of the said bands as may be proved to his satisfaction to be just, to be deducted from the amount stipulated in the second article of this treaty.

ART. 5. The United States stipulate to provide for the payment of the necessary expenses attending the making and concluding this treaty.

ART. 6. This treaty, after the same shall be ratified by the President and Senate of the United States, shall be binding upon both parties.

In testimony whereof, the said Abel C. Pepper, commissioner as aforesaid, and the said chiefs and headmen and their bands, have hereunto set their hands, this 22d day of April A. D. 1836.

ABEL C. PEPPER.

PASH-PO-HO,	his x mark.
O-KAW-MAUSE,	his x mark.
KEE-WAW-NEE,	his x mark.
NEE-BOSH, (or twisted head,)	his x mark.
I-O-WEH, (or nation's name,)	his x mark.
MISS-NO-QUI, (female fish,)	his x mark.
KAW-CHE-NOSS,	his x mark.
CHO-QUISS, (fishes entrails,)	his x mark.
MA-CHE-SAW, (bleating fawn,)	his x mark.
WAW-PAW-KO-NE-AW, (white night,)	his x mark.
AH-MUCK,	his x mark.
KOHE-KAH-ME,	his x mark.
QUE-QUE-NUK,	his x mark.

Witnesses :

GEO. W. EWING,

CYRUS TOBER,

J. B. DURET, *sec'y*,

PETER BARRON,

JOSEPH BAMONT, *interpreter*.

NOW THEREFORE BE IT KNOWN, THAT I, ANDREW JACKSON, President of the United States of America, having seen and considered the said treaty, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the twentieth day of May, one thousand eight hundred and thirty-six, accept, ratify, and confirm the same, with the exception of the fourth article, as excepted in the aforesaid resolution of the Senate; which fourth article is as follows: "Art. 4. At the request of the above named bands it is stipulated that after the ratification of this treaty, the United States shall appoint a commissioner, who shall be authorized to pay such debts of the said bands as may be proved to his satisfaction to be just, to be deducted from the amount stipulated in the second article of this treaty."

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

Done at the city of Washington, this twenty-fifth day of May,
[L. S.] in the year of our Lord one thousand eight hundred and thirty-six, and of the independence of the United States the sixtieth.

ANDREW JACKSON.

• By the President:

JOHN FORSYTH,

Secretary of State.

TREATY between the United States of America and the chiefs and delegates of the Pottawatamie tribe of Indians. Concluded April 22, 1836—Ratified May 25, 1836.

ANDREW JACKSON, President of the United States of America, to all and singular to whom these presents shall come, greeting:

WHEREAS a Treaty was made and concluded at the Indian Agency, in the State of Indiana, between Abel C. Pepper, commissioner on the part of the United States, and Nas-waw-kee, and Quash-quaw chiefs and head men of the Pottawatamie tribe of Indians and their bands on the twenty-second day of April, one thousand eight hundred and thirty-six, which treaty is in the words following, to wit:

Articles of a treaty made and concluded at the Indian agency, in the State of Indiana between Abel C. Pepper commissioner on the part of the United States and Nas-waw-kee and Quash-quaw chiefs and head men of the Pottawatamie tribe of Indians and their bands on the 22d day of April, 1836.

ART. 1. The above named chiefs and head men and their bands hereby cede to the United States three sections of land reserved for them by the second article of the treaty between the United States and the Pottawatamie tribe of Indians on Tippecanoe river on the 26th day of October, 1832.

ART. 2. In consideration of the cession aforesaid the United States stipulate to pay the above chiefs and head men and their bands nineteen hundred and twenty dollars at the first payment of annuity after the ratification of this treaty.

ART. 3. The above named chiefs and head men and their bands agree to give possession of the aforesaid three sections of land, and remove to the country west of the Mississippi river provided by the United States for the Pottawatamie nation of Indians within two years from this date.

ART. 4. At the request of the above named chiefs and head men and their bands, it is stipulated that after the ratification of this treaty, the United States shall appoint a commissioner who shall be authorized to pay such debts of the said bands as may be proved to his satisfaction to be just, to be deducted from the amount stipulated in the 2d article of this treaty.

ART. 5. The United States stipulate to provide for the payment of the necessary expenses attending the making and concluding this treaty.

ART. 6. This treaty, after the same shall be ratified by the President and Senate of the United States, shall be binding upon both parties.

In testimony whereof, the said Abel C. Pepper, commissioner as aforesaid, and the said chiefs and head men and their bands, have hereunto set their hands this 22d day of April, A. D. 1836.

A. C. PEPPER.

Quash-quaw, his x mark.

Me-cos-ta, his x mark.

Nas-waw-kee, his x mark.

Wem-se-ko, his x mark.

Ah-quau-sh-she, his x mark.

Witnesses :

J. B. DURET, *secretary to com'r.*

JOSEPH BAMONT, *interpreter.*

CYRUS TOBER,

GEO. W. EWING,

PETER BARRON.

NOW THEREFORE BE IT KNOWN, THAT I, ANDREW JACKSON, President of the United States of America, having seen and considered the said Treaty, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the twentieth day of May one thousand eight hundred and thirty-six, accept, ratify, and confirm the same, with the exception of the fourth article, as excepted in the aforesaid resolution of the Senate; which fourth article is as follows: "Art. 4. At the request of the above named bands it is stipulated that after the ratification of this Treaty, the United States shall appoint a commissioner who shall be authorized to pay such debts of the said bands as may be proved to his satisfaction to be just, to be deducted from the amount stipulated in the second article of this Treaty."

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

Done at the city of Washington, this twenty-fifth day of May, [L. s.] in the year of our Lord one thousand eight hundred and thirty-six, and of the independence of the United States the sixtieth.

ANDREW JACKSON.

By the President:

JOHN FORSYTH,

Secretary of State.